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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

YUDAYA NANYONGA,

Plaintiff,

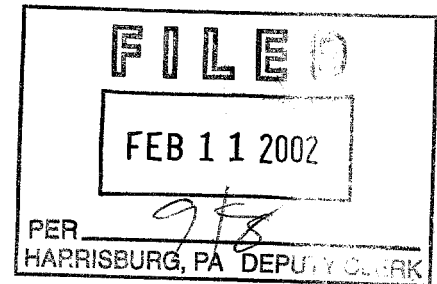
vs.

IMMIGRATION & NATURALIZATION
SERVICE; DORIS MEISSNER,
individually, and in her official capacity as
I.N.S. Commissioner; COUNTY OF
YORK; YORK COUNTY PRISON;
THOMAS HOGAN, Individually, and in his
official capacity as York County Prison
Warden; CHRISTOPHER REILLY,
individually, and in his official Capacity as
member of the York County Board of
Commissioners; JOHN DOES/JANE DOES
(1-25) (heretofore unidentified individuals)
and ABC CORPS. (1-25) (heretofore
unidentified corporations, partnerships,
business entities or government agencies),

Defendants.

Civil Action No. 1:CV-00-1034

J. Caldwell



PLAINTIFF, YUDAYA NANYONGA'S
NOTICE OF MOTION TO BE RELIEVED AS COUNSEL

PLEASE TAKE NOTICE that the undersigned attorney, Gary A. Cavalli, of the law firm of Pope, Bergrin & Verdesco, P.A., for the plaintiff in the above-captioned matter, will apply to the above named Court, or as soon thereafter as counsel may be heard, for an Order granting plaintiff's counsel's motion to be relieved as counsel, pursuant to Local Rule 83.15.

TAKE FURTHER NOTICE that in support of the within application, I shall rely upon the annexed Certification.

THIS MOTION is submitted for a ruling on the papers, without oral argument, unless the

Court directs otherwise, and a proposed form of Order is submitted herewith.

POPE, BERGRIN & VERDESCO, P.A.
Attorneys for Plaintiff



GARY CAVALLARO, ESQ.

Dated: February 7, 2002

POPE, BERGRIN AND
VERDESCO, P.A.
572 MARKET STREET
NEWARK, NEW JERSEY 07105
(973) 589-7744

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

YUDAYA NANYONGA,

Plaintiff,

vs.

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SERVICE; DORIS MEISSNER,
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Defendants.

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**CERTIFICATION IN SUPPORT OF PLAINTIFF'S
NOTICE OF MOTION TO BE RELIEVED AS COUNSEL**

I, GARY CAVALLI, of full age hereby certify as follows:

1. I am an associate of the law firm of Pope, Bergrin & Verdesco, P.A. assigned to this case. As such I am fully familiar with the facts of the above-captioned case.

2. I make this application on behalf of the Firm to be relieved as counsel on behalf of plaintiff Yudaya Nanyonga.

3. I have met with plaintiff, Ms. Nanyonga and discussed the facts surrounding this motion.

4. On January 4, 2002 I forwarded correspondence to Ms. Nanyonga memorializing our discussion concerning our intent to file a motion to be relieved as counsel. I recommend to Ms. Nanyonga at that time, that should she decide to proceed with the claim that she obtain counsel to represent her. As of this date, I have not heard from Ms. Nanyonga concerning her retention of counsel.

5. I have contacted Amnesty International who has been very active in this case in an attempt to identify counsel to supersede this firm on behalf of plaintiff without success.

6. The basis for this motion concerns the distance time, and expense to continue to represent the plaintiff in the present venue. To properly prosecute this claim in a foreign venue has become too prohibitive for the firm, particularly with respect to time and expenses.

7. Additionally, for reasons protected from disclosure by the attorney/client privilege, I respectfully request that the court grant our motion to be relieved as counsel.

I hereby certify that the foregoing statements made by me are true. I am aware that if the foregoing statements made by me are willfully false, I am subject to punishment.

POPE, BERGRIN & VERDESCO, P.A.



GARY CAVALLI, ESQ.

Dated: February 7, 2002

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

YUDAYA NANYONGA, : Civil Action No. 1:CV-00-1034

Plaintiff,

vs.

IMMIGRATION & NATURALIZATION
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Defendants.

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Law Firm of Pope, Bergrin & Verdesco, P.A. and is the person of such age and discretion as to be competent to serve papers.

That on February 7, 2002, she served a copy of the attached

PLAINTIFF'S MOTION TO BE RELIEVED AS COUNSEL

By placing said copy in postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Newark, New Jersey.

POPE, BERGRIN AND
VERDESCO, P.A.
572 MARKET STREET
NEWARK, NEW JERSEY 07105
(973) 589-7744

Addressee:

Joseph J. Terz
Assistant U.S. Attorney
217 Federal Building
228 Walnut Street
P.O. Box 11754
Harrisburg, PA 17108

Addressee:

C. Kent Price, Esq.
Thomas, Thomas & Hafer, LLP
305 North Front Street – 6th Floor
P.O. Box 999
Harrisburg, PA 17108



WILMA FALCONER

Dated: February 7, 2002

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ORDER

THIS MATTER having been brought before the United States District Court, Middle District of Pennsylvania, on application by Gary Cavalli of the law firm of Pope, Bergrin & Verdesco, P.A., attorneys for plaintiff, and C. Kent Price, of the law firm of Thomas, Thomas & Hafer, LLP, and the Court having read the papers filed in support of this motion, and good cause appearing; it is

ON THIS day of 2002;

ORDERED as follows:

That plaintiff's counsel's motion to be relieved as counsel is hereby granted; and it is

POPE, BERGRIN AND
VERDESCO, P.A.
572 MARKET STREET
NEWARK, NEW JERSEY 07105
(973) 589-7744

FURTHER ORDERED that plaintiff seeks new counsel or be prepared to proceed with this case *pro se*, within thirty (30) days of entry of this Order; and it is

FURTHER ORDERED that if plaintiff either fails to obtain new counsel or proceed with this matter *pro se* this matter shall be dismissed with prejudice for lack of prosecution; and it is

FURTHER ORDERED that a copy of this Order shall be served upon all counsel and plaintiff within seven (7) days of entry.

J.S.C.